# COVID-19 and the right to housing

**The European Federation of National Organisations working with the homeless, FEANTSA,** is the only European organization fighting to end homelessness in Europe. We have members in all countries in the EU. We understand homelessness as a situation that deprives individuals of fundamental rights, including the right to housing. For FEANTSA, widespread homelessness is evidence of the failure of the States to protect and ensure the human rights of the most vulnerable in Europe. We engage in the protection of the right to housing primarily through transnational exchanges, direct advocacy, and research.

Together with the Abbé Pierre Foundation, FEANTSA publishes an annual report with updated information on homelessness and housing exclusion in Europe. According to the latest data, an estimated number of 700.000 people are homeless in Europe on any given night.[[1]](#footnote-2)

We have been working together with members of FEANTSA to exchange and inform on the situation and measures taken by governments and our members concerning COVID19. The input in this document is possible thanks to the updates on the situation from their countries and desk research from FEANTSA’s Secretariat. Our input will refer to two main topics that are of great concern to us at this stage:

1. The gradual phasing-out of confinement measures which may result in a mass release of people temporarily accommodated in hotels and temporary emergency structures.
2. Increased risk of evictions once the temporary measures put in place (suspension of evictions and special measures for tenants) are lifted.

## Ensuring long-term accommodation for homeless people

In the context of this public health emergency, governments in Europe have taken bold measures to protect homeless people in Europe. See **Annex I** for information from some of our members on some of the (non-exhaustive) new accommodation that was provided. Now, as they start to lift confinement measures, FEANTSA has called on public authorities to use the work already done in accommodating people as a springboard to provide them with long-term solutions.[[2]](#footnote-3)

We believe that international standards such as the prohibition of retrogressive measures apply in this case. States have managed to house the homeless to a great extent and returning them to the streets will be a violation of the right to housing and a retrogressive measure.

In the **Netherlands,** the Council for Public Health and Society stated that the Government approach to homelessness needs to undergo structural changes. This independent advisory body to the Government, advises for a structural change in their approach to homelessness, which would include a stock of affordable housing and a rapid re-housing scheme, a stop to evictions for people unable to pay rent, and support for people exiting prisons and psychiatric hospitals[[3]](#footnote-4).  The government has made EUR200m extra available for fight against homelessness for 2020-21, with a focus on housing solutions for the homeless.[[4]](#footnote-5)

The **UK** government has made a significant commitment in drive to end rough sleeping for good. ‘Everyone In’ funding extended with a new £85 million, to continue to secure accommodation for street homeless[[5]](#footnote-6).

The prefecture of the Rhône and the metropolitan area of ​​**Lyon** announced their objective “Zero returns to the streets”. This system will take shape with the accelerated availability of 500 social housing units.[[6]](#footnote-7)

Governments are trying to respond to the demand of long-term solutions for the homeless, coming from organisations:

* **In Spain,** NGOS are aware of the opportunity and have launched campaigns to demand a permanent solution to homelessness.[[7]](#footnote-8)
* **In France**, organisations working with homeless people are concerned about what comes next and they fear that service users may end up back in the streets.[[8]](#footnote-9)

## Measures to stop people becoming homeless

The economic impact of the Covid19 crisis have put many people at risk of homelessness and public authorities reacted swiftly to prevent a wave of people losing their homes. Moratoria on rental evictions, of varying durations, were announced in many countries. As regards housing costs, moratoria on mortgage payments were introduced in some countries, including Ireland[[9]](#footnote-10) and Belgium[[10]](#footnote-11). In Spain, this has been introduced for people considered vulnerable, but very strict access criteria that have been introduced.[[11]](#footnote-12)We will probably only have a clearer idea on the how relevant and successful these measures have been only later in the year, probably after the summer.

### Prohibition on evictions

**In Austria,** evictions and power cuts were suspended. In April 2019, the Austrian government declared that between April and June, no evictions will take place[[12]](#footnote-13). Rental agreements cannot be terminated due to rent arrears and tenants have the right to pay back arrears until 2021. A cap for interest on rent arrears is fixed at 4%.

**In Belgium,** the three regions, Wallonia, Brussels[[13]](#footnote-14) and Flanders[[14]](#footnote-15), have suspended evictions. The moratorium on evictions was extended until June 30. The Brussels government decided to establish an additional housing benefit for vulnerable tenants of 215 euros.

In the **Czech Republic,** the moratorium on the repayment of loans and mortgages proposed on April 2, 2020 is binding for all banks and non-bank lenders. Both private and business debtors will be able to suspend their repayments for three or six months[[15]](#footnote-16).

**In Finland,** property firm SATO, which has some 26,000 rental units in Finland’s largest cities, has said it could consider setting up payment plans with tenants on a case-by-case basis. [[16]](#footnote-17) A retail bank OP said its mortgage borrowers facing hardship could suspend payments for up to a year without any additional service fees.

**In France**, the winter truce was established until May 31 and was extended until July 10. It covers the suspension of evictions unless the rehousing of the persons concerned is ensured. The planned cuts to housing benefit was put on hold at the beginning of the crisis. At national level, the most relevant measures were the postponement of the period of execution of judiciary acts and deadline for the eviction procedure at the end of the state of health emergency. Specific measures for student housing involved not applying the contractual notice period of one month when students have had to leave their accommodation hastily due to confinement.

**Germany** prohibited any cancellation of rent contracts from April to June 2020 due to the Coronavirus crisis.This regulation can be applied up until 30 June 2022.

**In Ireland** on March 27, emergency legislation banning evictions from all types of accommodation came into effect[[17]](#footnote-18).

**In Italy,** the government introduced measures for protecting renters and mortgage payers. On 16 March, the Council of Ministers, approved 25 billion euros for measures for families and businesses. Among the most important measures were the suspension of mortgage payments, the suspension of evictions, until June 30 and the moratorium on first home mortgages for those who lose their jobs or see their entrances significantly reduced due to coronavirus.

**In the Netherlands**, tenants who find themselves in a difficult financial situation due to the coronavirus crisis can be assured that there will be no eviction during this time. The Minister for Environment and Housing, together with various housing and real estate organisations (Aedes, IVBN, Kences and Vastgoed Belang) have agreed that tenants in the Netherlands will not be evicted during the coronavirus crisis.[[18]](#footnote-19)

In **Portugal** exceptional and temporary measures to respond to the COVID situation in relation to housing have been out in place[[19]](#footnote-20):

* Eviction procedures, special eviction procedures and enforcement procedures for delivering the rented property are suspended, whenever the tenant, because of the judicial decision to be made, will end up in a vulnerable situation due to the lack of housing.
* Suspension of rental contracts during the pandemic period and until the end of the prevention, contention, and treatment measures declared by the national public health authority.
* Suspension of foreclosures regarding primary and permanent housing during the same period mentioned above.

**In Spain,** the Judiciary ordered a postponement of all non-urgent judicial activities nationwide, including evictions. Legislation passed on March 17 guarantees a moratorium on mortgage payments, a guaranteed supply of water and energy for vulnerable consumers, guaranteed maintenance of electronic communications services and broadband connectivity. There is a suspension of evictions for those tenants in vulnerable situations who are left without a housing alternative. The suspension will reach six months from the end of the state of alarm.[[20]](#footnote-21)

In **Sweden** no drastic measures have been taken in comparison to other countries. There has been a more active policy response towards homeowners (mortgage holiday) than tenants. Public housing companies and property owners’ associations support a case-by-case approach. housing and social protection remains a municipal responsibility, there has been no centralised government response on the issue.

In the **UK,** landlords will not be able to start proceedings to evict tenants for at least a 3- month period, the 3-month mortgage payment holiday announced will be extended to landlords whose tenants are experiencing financial difficulties due to coronavirus. At the end of this period, landlords and tenants will be expected to work together to establish an affordable repayment plan, considering tenants’ individual circumstances.[[21]](#footnote-22) From 26 March**,** landlords will have to give all renters 3 months’ notice if they intend to seek possession (i.e. serve notice that they want to end the tenancy); from 27 March, the court service will suspend all ongoing housing possession actions. Landlords will also be protected by a 3-month mortgage payment holiday where they have a ‘Buy to Let’ mortgage. Landlords remain legally obligated to ensure properties meet the required standard – urgent, essential health and safety repairs should be made**.**[[22]](#footnote-23)

### Other legal or financial measures

In **Denmark** for three months since March 2020, the state will cover 75% of the salaries of employees paid on a monthly basis who would otherwise have been made redundant, with companies paying the remaining amount. For hourly workers covered by the agreement, the government will cover 90% of their wages, up to 26,000 Danish kroner per month.[[23]](#footnote-24)

In **France,** an exceptional solidarity aid will be paid automatically, from May 15, to the most modest families and individuals These measures of financial support are only planned to apply once for each household[[24]](#footnote-25). Other measures have been taken by theCNAF, the organism that provides social benefits, for the automatic payment of social assistance and the advanced payment of social benefits, including housing allowance. There was an announcement of the mobilization of an individual emergency financial aid for families receiving benefits expressing a basic food need, difficulties in paying their rent, an electricity or telephone bill.

In **Greece** due to the lock down, thousands of people will not have an income at least during April. An amount of 800 Euros for the period 15.03-30.04 should have been provided to all the employees and workers who stopped working after a state order or use to work in sectors hit by the situation (e.g. tourism). In case they rent a house, the rent is officially reduced by 40% during this crisis period (not in the case of a secondary residence).

In **Portugal** from April 1, tenants whose incomes have been reduced as a result of COVID19 (20% in relation to previous month or homologous month in 2019) and those whose effort rate for paying the rent is above 35% are entitled to financial support:

* Financial support by resorting to a loan (0% interest rate) granted by the National Institute for Housing and Urban Rehabilitation (IHRU) for the payment of rents which they cannot afford.
* Impossibility to have their rental contracts cancelled due to arrears of rents during the emergency state period and possibility to pay those rents in arrears during the 12 months following the end of the that period in monthly instalments.
* No indemnity for the delay in paying the rents can be imposed by landlords on these tenants and during this period.
* Low-income landlords who are affected by a significant loss of income due to the non-payment of rents as a result of these measures to support vulnerable tenants can also resort to a loan (0% interest rate) by IHRU, to compensate for the amount of rents which have not been paid.

## Coercive measures against homeless people

FEANTSA and its members have called to protect homeless people from punitive enforcement measures. Enforcement of confinement measures must take account of the special vulnerability of people experiencing homelessness and the lack of safe alternatives to public space that are available to them. Homeless people must be provided with safe alternatives.

In general, the information that we have is that it has been a relatively minor issue compared to other more urgent ones. Housing Rights Watch has monitored punitive measures against the homeless for non-compliance with confinement measures:

* **In France,** all people needed to have a document (*attestation de déplacement*) on them to justify their being outside which was obviously not adapted to homeless people. Our members have denounced that homeless people have been fined in several places, just for being outside.[[25]](#footnote-26)
* In the **UK,** at least four homeless people were unlawfully prosecuted for being outside although the Health Protection Regulations, which enforced the UK's lockdown, did not apply to homeless people.[[26]](#footnote-27)
* In **Spain**, specially at the beginning of the crisis, we heard of situations where homeless people were fined. The government’s instruction states that homeless people are an exception for the compulsory confinement measures. (Examples in the press in Madrid[[27]](#footnote-28) and in Barcelona).[[28]](#footnote-29)
* We have been informed of fines to the homeless for walking in the streets in Italy[[29]](#footnote-30).Avvocato di strada Association (Street Lawyers)launched a "Signature Collections" in AVAAZ asking the Prime Minister to cease penalties and fines to homeless people who are in public spaces. [[30]](#footnote-31)

## Litigation to claim access to human rights of homeless people

In France Médecins du Monde, Cimade, Secours Catholique, Utopia 56 and the Abbé Pierre Foundation are suing the State and Toulouse Métropole for: "*attacking human dignity and the fundamental freedoms of precarious people due to lack of access to water and hygiene*" during the Covid-19 crisis[[31]](#footnote-32).

## Additional Resources:

* FEANTSA Statement: “Staying home not an option for people experiencing homelessness”: [Read it here.](https://www.feantsa.org/en/news/2020/03/18/covid19-staying-home-not-an-option-for-people-experiencing-homelessness?bcParent=26)
* Seven measures authorities must take to protect homeless people from COVID19: [Read about it here.](https://www.feantsa.org/en/news/2020/03/31/seven-measures-authorities-must-take-to-protect-homeless-people-from-covid?bcParent=26)
* [Measures about housing during the coronavirus crisis in Europe](https://maphub.net/JournalismArena/housing-and-the-coronavirus-crisis-in-europe) (map)
* [Mortgage and rent measures announced during the coronavirus outbreak.](https://housing.journalismarena.eu/apps/onlyoffice/s/n2YRiHn7zCMWLx2)
* [The fiscal response to the economic fallout from the coronavirus](https://www.bruegel.org/publications/datasets/covid-national-dataset/)

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ANNEX I. (March/ April 2020)

|  |  |  |  |
| --- | --- | --- | --- |
| Country | Emergency Housing Update | Added COVID-19 Beds Y/N | Number |
| Denmark | In Odense, (a city with approx. 200000 inhabitants) they have created extra sleeping possibilities for homeless people. | Yes, but not needed | ? |
| France | In France, the [last figures from 27th April](https://www.gouvernement.fr/plus-de-10-800-places-d-hotel-supplementaires-desormais-mobilisees-pour-les-sans-abri-et-95-sites-d) are  :   * 157 000 accommodation places that remain open, already financed by the state usually * 14 000 opened during the winter period, that has been postponed to the 31st May * 10 800 new accommodations in hotels have been opened since the beginning of the crisis * 95 accommodation centres for homeless (CHS – Centres d’hébergement spécialisés) infected by covid19, for a potential of 3500 people. | Yes | 10,800 |
| Greece | In Athens approximately 200 people in total are hosted in a new shelter for the homeless (130) and a hotel for drug users (70). Their capacity is bigger so more people may be moved there in the future. The aim is that both buildings remain in place also after the crisis. In Thessaloniki 15 people are hosted in an emergency shelter and 23 in a hotel. | Yes | Athens+Thessaloniki:  ~240 |
| Ireland | The latest figure is from the 16th April, of 1,035 additional beds in the Dublin region during the pandemic. This is made up of: 400 rooms in 8 hotels + 165 apartments/airbnbs + 470 hostel beds = 1,035 total beds | Yes | Dublin: 1,035 |
| Lithuania | There are no numbers on how many homeless persons stayed in emergency shelters during the quarantine in Lithuania. No additional emergency shelters were opened for this period of time, as in other countries. | No | - |
| Netherlands | In Holland, a lot of extra space is opened, to give homeless people more space and the right to stay 24 hours instead of only the night. The number of actual extra beds is a couple of hundreds | Yes | ~A couple of hundreds  (assumed for total: 200) |
| Portugal | In Portugal, according to an estimate provided by the coordination of the National Homelessness Strategy on April, 17th, a total of 18 new emergency accommodation spaces for homeless people have been opened across the country; 370 homeless people have been accommodated in these new (collective) premises. | Yes | 370 people across 18 spaces |
| Slovenia | In Ljubljana we open additional shelter with 20 beds. In other cities nothing. | Yes | 20 places in Ljubljana |
| Spain | In Spain, on 22 March the number was at 4,100. It´s a number estimated by us, from different sources because there is no one only source or official one. We are updating the information but it´s difficult and slow.  Barcelona: As far as I know, in Barcelona city the number is 700 emergency places for this period. | Yes | ~4,100 (22 March) |
| UK |  | Yes | ~5,400 ([source](https://www.gov.uk/government/publications/dame-louise-casey-writes-to-local-authority-homelessness-managers-and-rough-sleeping-coordinators/dame-louise-casey-writes-to-local-authority-homelessness-managers-and-rough-sleeping-coordinators)) |
| TOTAL |  |  | **~22,200** |

1. The 2020 Overview on housing exclusion focuses on asylum seekers and migrants’ access to shelter and will be launched on July 23. You will find it on the FEANTSA website: <https://www.feantsa.org/en/report/2019/04/01/the-fourth-overview-of-housing-exclusion-in-europe-2019?bcParent=27> [↑](#footnote-ref-2)
2. Hotels to Homes <https://www.feantsa.org/en/campaign/2020/05/27/hotels-to-homes-the-time-for-permanent-solutions-is-now?bcParent=419> [↑](#footnote-ref-3)
3. <https://www.nrc.nl/nieuws/2020/04/20/advies-overheidsaanpak-daklozen-moet-structureel-anders-a3997340> [↑](#footnote-ref-4)
4. <https://www.binnenlandsbestuur.nl/sociaal/nieuws/kabinet-trekt-200-miljoen-euro-extra-uit-voor.13024701.lynkx> [↑](#footnote-ref-5)
5. <https://www.gov.uk/government/news/105-million-to-keep-rough-sleepers-safe-and-off-the-streets-during-coronavirus-pandemic> [↑](#footnote-ref-6)
6. <https://www.lyoncapitale.fr/actualite/grand-lyon-prefecture-et-metropole-veulent-zero-retour-a-la-rue/> [↑](#footnote-ref-7)
7. <https://hogarsi.org/quecasa> [↑](#footnote-ref-8)
8. <https://www.lemonde.fr/societe/article/2020/06/03/sans-abri-la-fin-annoncee-des-mesures-d-urgence_6041624_3224.html> [↑](#footnote-ref-9)
9. <https://www.irishtimes.com/business/financial-services/coronavirus-banks-agree-mortgage-breaks-and-repossession-deferrals-1.4205750> [↑](#footnote-ref-10)
10. <https://www.vrt.be/vrtnws/nl/2020/03/31/wanneer-kanje-uitstel-van-betaling-krijgenvoor-je-woonlening/> [↑](#footnote-ref-11)
11. <https://www.eldiario.es/economia/Moratoriaasufin_0_1012798948.html> [↑](#footnote-ref-12)
12. <https://www.derstandard.at/jetzt/livebericht/2000116471043/nationalrat-stimmt-ueber-drittes-corona-paket-ab?responsive=false> [↑](#footnote-ref-13)
13. <https://www.rtbf.be/info/dossier/epidemie-de-coronavirus/detail_coronavirus-en-belgique-les-expulsions-des-logements-suspendues-en-wallonie-et-a-bruxelles?id=10461517> [↑](#footnote-ref-14)
14. <https://www.rtbf.be/info/belgique/detail_la-flandre-suspend-elle-aussi-les-expulsions?id=10463317> [↑](#footnote-ref-15)
15. <https://www.whitecase.com/publications/alert/extraordinary-moratorium-and-other-measures-czech-republic> [↑](#footnote-ref-16)
16. <https://yle.fi/uutiset/osasto/news/corona_and_finances_how_to_pay_your_rent_or_mortgage_during_the_pandemic/11269653> [↑](#footnote-ref-17)
17. <https://data.oireachtas.ie/ie/oireachtas/bill/2020/4/eng/ver_a/b04a20dpdf-as-passed-by-de.pdf> [↑](#footnote-ref-18)
18. <https://www.thehagueinternationalcentre.nl/news/2020-04/tenants-will-not-be-evicted-during-the-coronavirus-crisis> [↑](#footnote-ref-19)
19. https://dre.pt/application/conteudo/130473088 [↑](#footnote-ref-20)
20. <https://www.idealista.com/news/inmobiliario/vivienda/2020/03/31/781455-prorroga-creditos-a-inquilinos-y-ni-un-desahucio-las-ayudas-al-alquiler-por-el> [↑](#footnote-ref-21)
21. <https://www.gov.uk/government/news/complete-ban-on-evictions-and-additional-protection-for-renters> [↑](#footnote-ref-22)
22. <https://www.gov.uk/guidance/government-support-available-for-landlords-and-renters-reflecting-the-current-coronavirus-covid-19-outbreak> [↑](#footnote-ref-23)
23. <https://www.theguardian.com/commentisfree/2020/mar/18/denmark-coronavirus-uk-government-workers-employees> [↑](#footnote-ref-24)
24. <https://solidarites-sante.gouv.fr/actualites/presse/communiques-de-presse/article/covid-19-le-gouvernement-annonce-le-versement-d-une-aide-exceptionnelle-de> [↑](#footnote-ref-25)
25. <https://news.konbini.com/societe/rhone-alpes-des-sans-abris-verbalises-pour-non-respect-du-confinement/> [↑](#footnote-ref-26)
26. <https://www.independent.co.uk/news/uk/home-news/coronavirus-homeless-prosecution-lockdown-england-wales-cps-a9567336.html> [↑](#footnote-ref-27)
27. <https://www.publico.es/sociedad/policia-denuncia-persona-hogar-pese-recursos-madrid-llenos-no.html?utm_source=twitter&utm_medium=social&utm_campaign=publico> [↑](#footnote-ref-28)
28. <https://www.lavanguardia.com/vida/20200319/474260977634/sintecho-confinamiento-barcelona-multas.html>

    <https://www.elperiodico.com/es/sociedad/20200319/arrels-multas-sintecho-barcelona-no-confinarse-coronavirus-7896784> [↑](#footnote-ref-29)
29. <https://www.genova24.it/2020/03/coronavirus-la-denuncia-di-cinzia-multata-di-280-euro-perche-sono-una-senzatetto-233131/> [↑](#footnote-ref-30)
30. <https://secure.avaaz.org/it/community_petitions/presidente_consiglio_dei_ministri_presidenti_delle_io_vorrei_restare_a_casa_ma_se_una_casa_non_ce_lho/details/?fbclid=IwAR2mBldytXo-bPpWTyhUqAlNVebEtFhgL1HUH9VJFyXZsa3s6PacHPh5IlI> [↑](#footnote-ref-31)
31. <https://france3-regions.francetvinfo.fr/occitanie/haute-garonne/toulouse/coronavirus-toulouse-associations-saisissent-mairie-justice-violation-droits-fondamentaux-sdf-1822318.html> [↑](#footnote-ref-32)